

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SARAH CONNER, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

ABBOTT LABORATORIES INC.,

Defendant.

Case No.: 3:21-cv-01463-SMY

**ABBOTT LABORATORIES INC.’S MOTION TO DISMISS PLAINTIFF’S CLASS
ACTION COMPLAINT PURSUANT TO FED. R. CIV. P. 9(b), 12(b)(1), AND 12(b)(6)**

Defendant Abbott Laboratories Inc. (“Abbott”), by and through its undersigned attorneys, moves the Court for an order dismissing Plaintiff’s Class Action Complaint, ECF No. 1, pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(1), and 12(b)(6). For the reasons set forth in its accompanying memoranda, Abbott respectfully requests that the Court: (i) dismiss with prejudice all of Plaintiff’s claims under Fed. R. Civ. P. 9(b) and 12(b)(6) for failure to state a claim; (ii) dismiss without leave to amend Plaintiff’s non-Illinois claims and her claims for injunctive relief under Fed. R. Civ. P. 12(b)(1) for lack of standing; and/or (iii) grant such relief as the Court deems to be just and proper. Abbott thus respectfully asks that the Court dismiss Plaintiff’s Class Action Complaint, ECF No. 1, in its entirety.

Dated: April 4, 2022

Respectfully submitted,

/s/ W. Jason Rankin

W. Jason Rankin, #6237927

HEPLERBROOM LLC

130 N. Main Street

P.O. Box 510

Edwardsville, IL 62025

wjr@heplerbroom.com

Telephone: +1 618 656 0184
Facsimile: +1 618 656 1364

Diana M. Watral, P.C. (pro hac vice pending)
diana.watral@kirkland.com
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
Telephone: +1 312 862 2000
Facsimile: +1 312 862 2200

T.J. McCarrick (admitted pro hac vice)
tj.mccarrick@kirkland.com
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue N.W.
Washington, D.C. 20004
Telephone: +1 202 389 5000
Facsimile: +1 202 389 5200

Attorneys for Abbott Laboratories Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ W. Jason Rankin